

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Francesco Sardone on 4/26/10.

The application has been amended as follows:

**IN THE CLAIMS:**

Deleted claims 26-43.

2. The following is an examiner's statement of reasons for allowance:

With regards to claim 1, the prior art of record to Braun fails to teach or render obvious a device for joining a first body vessel to a second body vessel, comprising, *inter alia*, an inner member having a fluid transmission region near the distal end portion through which fluid may pass from an interior of the inner member to an exterior of the inner member, and a radially expandable anchor disposed at the distal end of the inner member adjacent the fluid transmission region, the expandable anchor moving to an expanded condition upon absorbing fluid.

With regards to claim 15, the prior art of record to Braun fails to teach or render obvious a device for performing a surgical anastomosis of a first body vessel and a

second body vessel, comprising, inter alia, an inner member having a fluid transmission region disposed along a longitudinal length of the inner member through which a fluid may pass from an interior of the inner member to an exterior of the inner member along the fluid transmission region; and a radially expandable anchor adapted to expand in response to application of fluid through the fluid transmission region of the inner member.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Darwin P. Erezo whose telephone number is (571)272-4695. The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jackie Ho can be reached on (571) 272-4696. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Darwin P. Erezo/  
Primary Examiner, Art Unit 3773